

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

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NICHOLAS MCKEE, Individually and on	:	
Behalf of All Other Persons Similarly Situated,	:	NO. 1:12-cv-01117-SLR-MPT
	:	
Plaintiffs,	:	
	:	
-against-	:	<b><u>JURY TRIAL DEMANDED</u></b>
	:	
PETSMART, INC.,	:	
	:	
Defendant.	:	
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**PLAINTIFFS' MOTION  
FOR CONDITIONAL CERTIFICATION**

Plaintiff Nicholas McKee and the Three Opt-ins (together "Plaintiffs") move for an Order, pursuant to 29 U.S.C. § 216(b), conditionally certifying a collective action consisting of all current and former Operations Managers employed by Defendants in the United States of America at any time from September 10, 2009 to the present. Plaintiffs are similarly situated to the putative collective action members because they perform similar job duties and responsibilities, they are subject to Defendants' uniform comprehensive corporate policies and procedures, they are all mis-classified as exempt from the Fair Labor Standards Act's overtime provisions, and they are not paid overtime pursuant to a common corporate policy. Plaintiffs' Motion is supported by an accompanying opening brief and the Declaration of Jeffrey A. Klafter, with exhibits attached thereto. Plaintiffs intend on filing and serving reply papers.

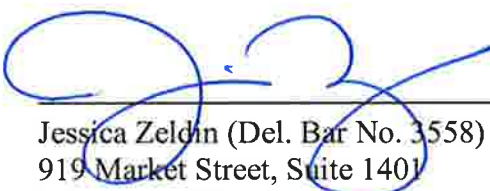
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